IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

WEDNESDAY THE THIRD DAY OF NOVEMBER, TWO THOUSAND AND FOUR

: PRESENT :

THE HON'BLE MR. JUSTICE: B. SESHASAYANA REDDY

CRIMINAL PETITION No. 4093 of 2004

]Between:

1 Palam Narayana @ Narayana Reddy, **(A1)** S/o Chinna Subbareddy Potlpadu Village Kurichedu (M). Prakasam District.

2 Palam Lakshmaiah @ Laxmireddy, A2 S/o Chinna Subbareddy Potlpadu Village Kurichedu (M) Prakasam District.

3 Nusumu Govindareddy, A3 S/o Nagireddy Potlpadu Village Kurichedu (M)
Prakasam District.

4 Nusumu Musalaiah @ Musalareddy, A4 S/o Venkatareddy Potlpadu Village Kurichedu (M) Prakasam District.

5 Nusumu Pratapreddy, A5 S/o Peddakotireddy, NSP Colony, Kurichedu

6 Nusumu Bhaskar Reddy, A6 S/o Peddakotireddy, Kompicherla Guntur District

7 Potireddy Venkatramireddy, A8 S/o Chinna Kotireddy Potlpadu Village Kurichedu (M) Prakasam Distrist.

8 Pothireddy Venkatareddy, A8 S/o Laxmireddy Potlpadu Village Kurichedu (M)
Prakasam Distrist.

9 Palem Venkataramana Reddy, A9 S/o Chinna Gangireddy Potlpadu Village Kurichedu (M) Prakasam Distrist.

10 Nusumu Govinda Reddy, A10 S/o Nagireddy Potlpadu Village Kurichedu (M)
Prakasam Distrist.

11 Pothireddy Venkateswara Reddy, A11 S/o Lakshmireddy, Vinukonda Guntur District.

12 Palam Ramireddy @ Ramaiah, A12 S/o Pedda Subba Reddy, Potlpadu Village Kurichedu (M), Prakasam District.

13 Palam Venkateswara Reddy, A13 S/o Chinna Gangireddy, Potlpadu Village Kurichedu (M), Prakasam Distrist.

14 Palam Bhupalreddy, A14 S/o Pedda Subba Reddy, Potlpadu Village Kurichedu (M), Prakasam District.

15 Pothireddy Yogireddy, A15 S/o Chinna Kotireddy, Potlpadu Village Kurichedu (M), Prakasam District.

16 Nusumu Yogi Ramireddy, A17 S/o Govinda Reddy Potlpadu Village Kurichedu (M) Prakasam Distrist.

17 Palam Ramanareddy, A18 S/o Subba Reddy Potlpadu Village Kurichedu (M)
Prakasam Distrist.

..... Petitioners
(Accused in CS. No. 136 of 2002 on the file of the VI Additional Sessions Judge, Ongole)

AND

1 Chamidisetty Ramaiah, Potlapadu Village in Kurichedu Mandal Prakasam District.

2 Settipalli Venkateswarlu Potlapadu Village in Kurichedu Mandal Prakasam District.

3 Kore Kondalu, Potlapadu Village in Kurichedu Mandal Prakasam District.

4 Bethamsetty Thirupathaiah, Potlapadu Village in Kurichedu Mandal Prakasam District.

5 Yadagiri Venkateswarlu, Potlapadu Village in Kurichedu Mandal Prakasam District.

6 Grandhi Brahmaiah Potlapadu Village in Kurichedu Mandal Prakasam District.

7 Kotha Seenu Potlapadu Village in Kurichedu Mandal, Prakasam District.

8 Chamidisetty Peda Venkata Swamy, Potlapadu Village in Kurichedu Mandal Prakasam District.

(Contd. 2.)

9 Chamidisetty China Venkata Swamy Potlapadu Village in Kurichedu Mandal Prakasam District.

10 Bethamsetty Seetha Ramaiah, Potlapadu Village in Kurichedu Mandal, Prakasam District.

11 Asula Venkata Swamy @ Bulligadu, Potlapadu Village in Kurichedu Mandal
Prakasam District.

12 Kore Chinna Kotaiah, Potlapadu Village in Kurichedu Mandal, Prakasam District.

13 Bethamsetty Yerra Pitchaiah, Potlapadu Village in Kurichedu Mandal
Prakasam District.

14 Chamidisetty Venkateswarlu, Potlapadu Village in Kurichedu Mandal, Prakasam District.

15 Bethamsetty Ganapathi, Potlapadu Village in Kurichedu Mandal, Prakasam District.

16 Gade Rama Subba Rao, Potlapadu Village in Kurichedu Mandal, Prakasam District.

17 Akula Sooraiah, Potlapadu Village in Kurichedu Mandal, Prakasam District.

18 Bethamsetty Ramanaiah, Potlapadu Village in Kurichedu Mandal, Prakasam District.

19 Chamidisetty Subba Rao, Potlapadu Village in Kurichedu Mandal, Prakasam District.

20 Chamidisetty Venkateswarlu, Potlapadu Village in Kurichedu Mandal
Prakasam District.

21 Kotha Sreenu, Potlapadu Village in Kurichedu Mandal, Prakasam District.

22 The State of A.P., rep by its Public Prosecutor High Court of A.P., Hyderabad.

.....Respondents

(Respondents in -do-)

Petition under Section 482 of Crl.P. C praying that in the circumstances stated therewith, the High Court will be pleased to quash the proceedings in Crl.M.P.No.395/2004 in SC.No.136/2002 dt. 31-08-2004 on the file of the court of the VI Additional Sessions Judge, Ongole Prakasam District and further direct to stay the trial in SC.No.136/2002 pending completion of enquiry in CFR.No.85/2004 pending on the file of the court of the learned Judicial Magistrate of First Class, Darsi, Prakasam District;

The petition coming on for hearing upon perusing the petition and memo of grounds filed herein and the orders of the High Court dated: 07-09-2004 and passed in CRL. MP. No. 6171 of 2004 and the order of the High Court dated 08-10-2004 and made herein and upon hearing the arguments of Mr. T. Niranjan Reddy, Advocate for the petitioners and the Public Prosecutor for the respondent No. 22, the Court made the following

(Contd. 3)

ORDER:

"Perused the report sent by the I Additional District Judge, Ogole, appears that the complainant has been taking time for producing the witnesses on his behalf. The date fixed for examination of the witnesses by the learned Magistrate, appears to be on 29-10-2004. The learned counsel appearing for the petitioner is directed to inform the Court, whether the complainant has produced the witnesses on 29-10-2004 before the learned Magistrate.

Post after ten (10) days."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Presiding Officer, The Judicial First Class Magistrate, Darsi, Prakasam District.
2. The I Additional District Judge, Ongole., Prakasam District.
3. The District Judge, Ongole, Prakasam District.
4. The Section Officer, V. R. Section, High Court of A.P., Hyderabad.
5. Two CCs to the Public Prosecutor, High Court of A.P. Hyderabad(OUT)
6. One Spare Copy
7. Mr. T. Niranjan Reddy, Advocate, High Court of A.P., Hyderabad.

BV

Drafted by: KK
Drafted on: 12-12-2003

HIGH COURT

CYSJ

DT. 12-12-2003

NOTE: POST ON 8-1-2004

ORDER

CRL.P.NO.4745 OF 2003

EXTENDING THE INTERIM ORDER